Government of Saskatchewan

Annual Report 1982-83

84- 2975 /

Department of The Attorney General

Contents

Letters of Transmittal
Organization Chart
Deputy Minister's Introduction

I Policing
- 1. The Policing Branch
- 2. The R.C.M.P.

II Coroners Branch

III Public Prosecutions Branch

IV Civil Law Branch

V Constitutional Law Branch

VI Courts
- 1. Court Services Branch
- 2. Court of Appeal
- 3. Court of Queen's Bench
- 4. Surrogate Court
- 5. Unified Family Court
- 6. Provincial Court of Saskatchewan

VII Property Registration and Management Branch
- 1. Property Registration
  - (a) Land Titles
  - (b) Personal Property Registry
- 2. Property Management
  - (a) Official Guardian
  - (b) Administrator of Estates

IX Administration
- 1. Administrative Services Branch
- 2. Personnel and Training Branch

December 1, 1983.

The Honourable F.W. Johnson,
Lieutenant Governor in Council,
Province of Saskatchewan,
Regina, Saskatchewan.

May It Please Your Honour:

I have the pleasure to transmit to your Honour the Annual Report of the Saskatchewan Department of the Attorney General for the year ending March 31, 1983.

Respectfully submitted,

The Honourable J. Gary Lane, Q.C.,
Minister of Justice
and Attorney General

December 1, 1983.

The Honourable J. Gary Lane, Q.C.,
Minister of Justice
and Attorney General,
Province of Saskatchewan,
Regina, Saskatchewan.

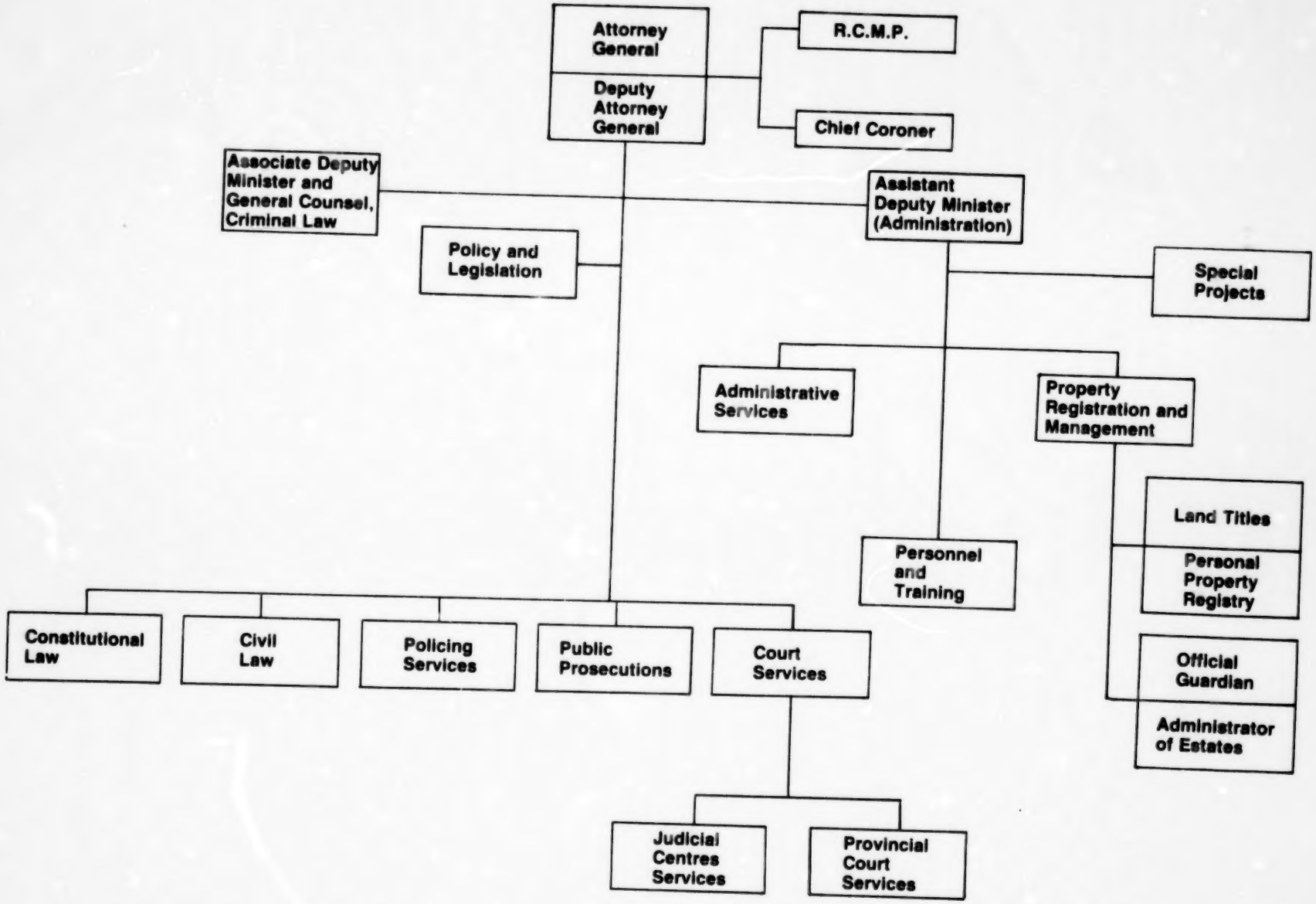
Dear Mr. Lane:

I have the honour to submit for your consideration the Annual Report of the Saskatchewan Department of the Attorney General for the year ending March 31, 1983.

Respectfully submitted,

Richard Gosse, Q.C.
Deputy Minister of Justice
and Deputy Attorney General

Organization Chart



Deputy Minister's Introduction

During 1982-83 there was a change of government in Saskatchewan. A new Attorney General, the Honourable J. Gary Lane, took office on May 8, 1982.

Since the Province had not adopted a budget for the 1982-83 year before the change in government, the Department, like other departments, was faced with a revising process for its 1982-83 budget, and also the usual budgetary preparation for the following year. Dealing with two budgets, back-to-back, absorbed much of the time and energy of the Department's administrative personnel.

Planning was carried out during the latter part of the year to prepare for the transfer of the Corrections Division of the Department of Social Services and, for that purpose, to reorganize as a Department of Justice. These changes were to be effected at the beginning of the 1983-84 fiscal year and will be reflected in the Annual Report for that year.

The Department had a significant advisory role with regard to the Government's reorganization of departments, particularly with respect to advising on the need for legislation. The Policy and Legislation Unit headed and co-ordinated our Department's contribution.

The Constitutional Law Branch was very involved in preparations for the March, 1983, First Ministers' Conference on constitutional reform issues. The Conference concentrated on aboriginal rights, and it appears that there will be considerable national activity in this area, including further First Ministers' Conferences in the next three years. The Constitutional Law Branch will have a major part in advising the government during its participation in this process.

With respect to policing services provided by the R.C.M.P., new detachments were established during 1982-83 at Pinehouse and Southend. Both of these locations had previously been policed from the LaRonge Detachment. These detachments will provide an improved policing service to the northern communities, which continues to be the major priority in provincial policing services.

New Provincial Court facilities were completed at Shellbrook during 1982-83. Two new circuit points were established in Northern Saskatchewan at Southend and Pinehouse to coincide with the establishment of R.C.M.P. detachments at these locations. The additional position of Associate Chief Judge, based in Saskatoon, was created during the year.

In June, 1982, a contract was signed with Saskatchewan Government Insurance which allows the Corporation to have an automated tie to the Personal Property Registry's data file for search services. This tie has permitted the Corporation to discontinue its previous practice of maintaining its own records of liens on vehicles for insurance claims. The removal of a duplicate set of records within two government agencies has simplified procedures for lending institutions which now need only to file forms in one location.

I Policing

1. The Policing Branch

The Branch is responsible for providing provincial policing services, which currently are provided by the R.C.M.P. on the basis of a federal/provincial agreement. The present agreement came into effect April 1, 1981, and continues for a ten-year period to March 31, 1991. In the 1982-83 fiscal year, the province was required to pay the federal government 57% of the expenditures incurred by the R.C.M.P. in providing provincial policing services to the province. Under the agreement, the cost-sharing increases by 1% per year until 1985-86 when it reaches 60%. In subsequent years cost-sharing increases by 2% to a maximum of 70% in 1990-91. During 1982-83, provincial policing services were provided by 829 members of the R.C.M.P. with an additional 120 clerical support staff.

In addition to the provision of provincial policing services to the Northern Saskatchewan Administration District, rural municipalities and urban municipalities with populations under 500, the provincial policing services also provides policing to 89 municipalities with populations ranging from 500 to 1,500 persons. These are municipalities which have chosen to utilize the R.C.M.P. instead of establishing their own police forces. The services are provided on the basis of agreements between the municipalities and the province represented by the Attorney General. Services are provided from existing R.C.M.P. detachments on the basis of certain hours per week. Municipalities pay the province the per member cost of an R.C.M.P. member for each 40 hours of services per week. Municipalities receiving more or less than 40 hours per week pay a proportionate cost. During the 1982-83 fiscal year, the estimated cost per member was $35,897.

During 1982-83 new detachments were established at Pinehouse and Southend, both of which had been policed previously from the LaRonge Detachment. A detachment for Wollaston Lake has been programmed for the 1983-84 fiscal year. These detachments will provide improved policing services to northern communities. Improved policing service to northern communities continues to be the major priority in provincial policing services.

On the basis of an agreement between the province and the Department of Indian and Northern Affairs, Indian personnel are recruited and trained by the R.C.M.P. and are appointed special constables with the same authority as other members of the R.C.M.P. There are 39 Indian Special Constables employed under this program who are assigned to detachments having a large Indian population within the detachment area. The program is cost-shared with the Department of Indian and Northern Affairs with the province paying 54% of the cost incurred. During the 1982-83 fiscal year the province expended $630,897 on this program.

In the initial stages of the program, difficulty was experienced in obtaining sufficient Indian recruits. However, this has improved substantially. The 39 positions allocated to the program are now filled, and an additional number of Indian people are showing considerable interest in the program.

The Branch also administers the firearms provisions of the Criminal Code relating to firearms acquisition certificates and firearms business permits. This includes issuing all firearms acquisition certificates for all areas of the province policed by the R.C.M.P. and small municipal police forces. During the 1982 calendar year, the Branch processed 6,156 applications. An additional 2,671 were issued by the city police forces. This compares to 7,789 and 3,058 respectively for the previous calendar year. During 1982, the unit processed 480 firearms business permits and 477 ammunition business permits. This compares to 513 and 528 respectively processed during 1981.

The Policing Branch is also responsible for the administration of **The Private Investigators and Security Guards Act**, which requires all firms and employees engaged in the business of providing private investigation or security guard services to be licensed. During the 1982 calendar year, the registrar processed 40 applications for licences for firms, and 977 applications for individuals, involved in providing such services, compared to 37 firms and 1,010 individual employees in 1981.

2. R.C.M.P. - "F" Division

Under an agreement between the Government of Canada and the Government of Saskatchewan, the Royal Canadian Mounted Police are responsible for providing the provincial police service in Saskatchewan to all rural areas and communities with populations of less than 500. A police service is also provided to 89 communities with populations between 500 and 1,500, under agreements between the province and each community. In addition to provincial policing, the Royal Canadian Mounted Police provide policing service to 37 municipalities under separate contracts involving 213 police members and 31 municipal support staff. There are also 210 police members and 71 public servants employed on administration and federal policing duties.

Effective April 1, 1982, provincial policing resources were increased by seven positions - four police members and three public servants - which were deployed to Pierceland, Waskesiu,

Blaine Lake, La Ronge, Regina and Saskatoon Commercial Crime Sections.

Reallocation of existing resources permitted the opening of new detachments at Pinehouse and at Southend, and new highway patrols at Maidstone, Radisson, and Canora. The three new highway traffic units provide wider coverage which recognizes the high priority given to traffic law enforcement within the province.

Reportable accidents in those areas policed by the R.C.M.P. were down by 4.6% over 1981. Fatal accidents decreased by 11.7% and personal injury accidents by 5.4%. The seatbelt legislation, public awareness, and a more effective law enforcement approach, are main factors which contributed to a decrease in accidents.

Criminal Code offences in those areas policed by the R.C.M.P. increased by 4.69% over 1981. The comparison with the previous year did not establish any significant pattern and any variations were not meaningful. Drug offences decreased by 6.9%. Enforcement efforts were concentrated on drug trafficking and importation offences. Because of this change in enforcement strategy, there was a reduction in simple possession charges. The most commonly abused drug continues to be marijuana and its derivatives; however, there is increased evidence of the availability of cocaine in the larger centres. There is also some indication of a resurgence of chemical drugs, such as L.S.D.

There are 39 Indian Special Constables who provide policing service to native people. In 1982 emphasis was also placed on recruitment of Metis and Non-Status Indians. The first member was recruited, trained, and posted to Pinehouse Detachment.

Crime prevention and law enforcement are dependent on public support. This is attainable only through co-operation and communication between the police and the community. R.C.M.P. members are encouraged to develop crime prevention/police community relations programs. These programs are directed towards specific problems identified by the Force and are designed to promote community awareness and action. Currently 86 crime prevention/police community relations programs are available. Some examples of these programs are Block Parent, Child Abuse Prevention, Farmer and Rancher Night, Safe Graduation, Operation Identification, Operation Provident, Treaty Days Ceremony, Rural Crime Watch and School Safety Patrol.

During 1982, there were 244 complaints registered against members/R.C.M.P. service. Complaints against members accounted for 189 of the 244. Total complaints decreased by 12.9% over 1981. One hundred and eighty-two complaints were found to be unsubstantiated or unfounded. Of the 62 substantiated complaints, 38 were resolved by counselling members, 24 by disciplinary action, and two by criminal court action. The number of members dealt with is greater than the number of substantiated complaints, as more than one member was involved in some of the complaints.

The year 1982 was the centennial of the Royal Canadian Mounted Police in Regina. This centennial year saw the R.C.M.P. participate with local interest groups in centennial activities at such centres as Regina, Saskatoon, Humboldt, Moose Jaw, Yorkton, Swift Current, Minton, and Indian Head.

II Coroners' Branch

The Chief Coroner is responsible for administering **The Coroners Act** and supervising and directing the 158 coroners in the province, of which 54 are medically qualified. He establishes and conducts instruction programs for coroners, as well as brings any findings to the attention of the appropriate persons, agencies, or government.

In the fiscal year 1982-83 one training seminar was held for new coroners. In addition, the Chief Coroner has met on an informal basis to update the coroners in the Yorkton, Swift Current, Moose Jaw, and North Battleford areas.

It is planned to continue with the format of basic seminars for new coroners. The Chief Coroner plans to continue meeting with the coroners in other areas of the province on a regular basis, to update them concerning changes in policy and to be made aware of any concerns which they may have relating to their work as coroners.

1982 Saskatchewan Death Statistics

	*Natural	Accidental	Suicide	Homicide	Undetermined
Under 20	-	117	41	6	2
21 - 40	-	147	74	20	4
41 - 60	-	106	34	12	-
Over 61	-	98	28	1	6
Total	**1276**	**468**	**177**	**39**	**12**

* Under 16	74
16 - 30	29
31 - 50	89
Over 51	1084

III Public Prosecutions Branch

The Public Prosecutions Branch is responsible for all prosecutions arising from the Criminal Code of Canada and the Statutes of Saskatchewan. In addition, the Branch is responsible for providing counsel at inquests and inquiries; appeals to the Saskatchewan Court of Appeal and the Supreme Court of Canada; matters respecting transfers of charges; court appearances covering interim release hearings, show cause hearings, contested motions, bail reviews, and chambers matters. As well, advisory services are provided to the Attorney General, the Deputy Attorney General, the R.C.M.P., Municipal Police forces, and other lawyers both in government and private practice.

In 1982-83, there were approximately 33,600 prosecutions of which over 25,000 were handled by salaried prosecutors, 4,000 by the R.C.M.P., and the balance by fee-for-service counsel. These prosecutions included both those under the Criminal Code and those under Saskatchewan Statutes.

The Special Prosecutions Unit is responsible for the prosecution of complex conspiracies, major frauds and highly sensitive cases. In 1982-83, this Unit handled 19 trials and preliminary hearings, compared to 32 in 1981-82.

In 1982-83 there were 316 appeals in the Court of Appeal and 4 in the Supreme Court of Canada, compared to 313 and 10 respectively in 1981-82.

During the 1983-84 fiscal year, emphasis will be placed on training prosecutors and police on the effects of the **Canadian Charter of Rights and Freedoms** as decisions are handed down by the courts, and on preparing prosecutors and police forces for the **Young Offenders Act**.

IV Civil Law Branch

The Civil Law Branch consists of 15 lawyers including the Director. Except for those services provided by the Constitutional Law Branch and the Policy and Legislation Unit of the Department, the Civil Law Branch provides the civil legal services for the Attorney General and approximately 50 government departments, agencies and boards.

Legal and advisory services are furnished centrally from the Branch with direct contact between the client department or agency and its solicitor on an ongoing basis. A full range of legal services is provided from research to day to day legal advice.

Opinions are provided respecting both provincial and federal legislation or regulations, and the Branch prepares legislation and regulations in conjunction with the Policy and Legislation Unit. The past year has seen an increase in the number of family service cases handled internally, and in reciprocal enforcement of maintenance order matters.

In addition to the above, counsel work is provided in all areas of civil litigation involving the Crown with solicitors from the Branch attending in the Supreme Court of Canada, the Court of Appeal, the Court of Queen's Bench and the Provincial Court as required to meet the needs of government and its agencies. Litigation conducted by the solicitors includes all aspects of court work and administrative tribunal hearings. Most matters under **The Proceedings Against the Crown Act** are channelled through the Branch.

The Civil Law Branch is responsible for the retention of outside counsel in civil law matters when such services are required or considered to be advisable.

The Branch is also primarily responsible for the program afforded to law students articling to the Deputy Attorney General.

V Constitutional Law Branch

The Constitutional Law Branch has a mandate to advise the government and its agencies on all matters concerning constitutional issues. In addition, the Branch has responsibility for representing the Attorney General in litigation in which there are constitutional issues and in which the Attorney General appears as intervenor. The Branch offers constitutional advice to other lawyers and Branches in the Department of the Attorney General and to officials in other departments of the government. It advises the Attorney General on the constitutional implications of policies for which he is responsible or in respect of which he advises others, and on the constitutional implications of dealings with, or the policies of, the other governments in Canada.

In all appeals which go to the Supreme Court of Canada in which a constitutional issue has been identified by the Court, the Attorney General is given notice of the issue and may apply to appear as an intervenor. The Branch examines each case for the purpose of deciding whether there is an adequate provincial interest in the issue to be heard by the Court. The Branch is also responsible for providing representation in the Court in those cases in which the Attorney General intervenes. In 1982-83, there were approximately 15 cases in which interventions were possible. Saskatchewan intervened in 6 cases which were heard in the Supreme Court during the year. This compared to approximately 15 cases possible and 10 interventions in 1981-82.

The Branch was also involved in many constitutional cases in the Courts of Saskatchewan during the past year. Some of these cases raised important issues of interpretation relating to the recently enacted **Canadian Charter of Rights and Freedoms**.

The Branch was closely involved in preparations for the March, 1983, First Ministers' Conference dealing with a variety of constitutional reform issues. The major outcome of that conference was agreement by all governments to meet with aboriginal organizations over the next three years to discuss constitutional amendments with respect to aboriginal issues. The Branch will continue to play a leading role in preparing for these negotiations during the next year.

VI Policy & Legislation Unit

This Unit is responsible for co-ordination and development of policy for the Department and development of legislation both for the Department and other departments and agencies, including:

- departmental policy development and legislative drafting;
- drafting of proposed Bills for other government departments;
- liaison with Law Reform Commission and review for implementation of the Commission's reports;
-representation on Legislative Review Committee of Cabinet;
- co-ordination of legislation with Office of the Legislative Counsel and Law Clerk;
- advising the Executive Council on legislative proposals;
- revision of regulations falling within the jurisdiction of the Attorney General;
- drafting and review of Recommendations to Council;

The Unit co-ordinates legislation throughout the Department and the government as a whole. During the 1982-83 fiscal year, the Unit played a significant role in the development of major pieces of legislation for the 1982-83 and 1983 sessions of the Legislature including a number of legislative amendments to streamline and to simplify court proceedings.

The Unit continues to work with other departments on major legislative initiatives for upcoming sessions of the Legislature. Development of major policy initiatives in family law, mortgage foreclosure procedures, mechanics' lien law and the impact of the new **Canadian Charter of Rights and Freedoms** on provincial legislation will be top priorities in the 1983-84 fiscal year.

VII Courts

The Province of Saskatchewan has the constitutional responsibility for the constitution, maintenance and organization of the Court of Appeal, the Court of Queen's Bench and the Provincial Court of Saskatchewan. Under the constitution, the federal government appoints the judges to the first two of these courts, and the provincial government appoints the judges to the third. The provincial government provides the court space, furnishings, other material and support staff to all three courts.

The three courts function, and their judges are appointed and serve, on the constitutional principle of the independence of the judiciary.

1. Court Services Branch

The Court Services Branch provides the non-judicial administration for the operation of the courts in Saskatchewan. This includes judicial officers, clerical staff, court stenographers, sheriff personnel, library, equipment, office supplies and information systems. The Branch also liaises with the Department of Government Services for space and furniture.

The administration is presently divided into two basic divisions, the Judicial Centres and the Provincial Courts. The Judicial Centres Branch is concerned with the non-judicial administration relating to the Court of Appeal, the Court of Queen's Bench, the Surrogate Court and the Unified Family Court. In addition, it is responsible for the provision of the Court Reporting and Sheriffs' services.

The Provincial Court Branch has responsibility for the non-judicial administration relating to the Provincial Court of Saskatchewan and the Traffic Safety Court of Saskatchewan. It also provides training and administrative support services for the Justices of the Peace throughout the Province. During the 1982-83 fiscal year, new Provincial Court facilities were completed at Shellbrook and plans were developed to provide new or renovated facilities at Meadow Lake, Fort Qu'Appelle, Canora, Kamsack, Regina, Saskatoon, Wakaw, Yorkton and North Battleford. Two new circuit points were established in Northern Saskatchewan at Southend and Pinehouse to coincide with the establishment of R.C.M.P. Detachments at these locations.

The Court Services Branch permits the supervision and control over all non-judicial court and court related administrative functions to be combined in one central administration and the development of a uniform operation in all court offices.

2. Court of Appeal

The Chief Justice of Saskatchewan presides over the Court of Appeal. In addition to the Chief Justice, the Court consists of four other judges of appeal. There are also, at present, two supernumerary judges. The judges are appointed by the Governor General in Council. The Court hears appeals from all other Courts in the Province of Saskatchewan. Its decision may be appealed only to the Supreme Court of Canada in Ottawa. In the fiscal year 1982-83, leave to appeal to the Supreme Court was sought in nineteen cases and granted in two of those.

Caseload Statistics

The numbers of cases filed and heard were as follows:

	Filed		Heard	
	1981	1982	1981	1982
Number of appeals (civil)	283	306	142	161
Number of appeals (criminal)	454	510	427	401

3. Court of Queen's Bench

Her Majesty's Court of Queen's Bench for Saskatchewan consists of a Chief Justice of the Queen's Bench and twenty-seven judges of the Court of Queen's Bench. In addition, there are three supernumerary judges.

The Court of Queen's Bench is the superior trial court for the province with original jurisdiction in all civil and criminal matters not expressly excluded by statute. In addition, it sits on appeal over the Provincial Court of Saskatchewan with respect to summary conviction offences and Small Claims matters. Judges of the Court of Queen's Bench hear matters in all judicial centres and several smaller communities. Judges and supernumerary judges are resident in the following communities:

	Judges	Supernumerary Judges
Regina	9	2
Saskatoon	12	
Battleford	1	
Estevan	1	
Humboldt	1	
Melville	1	
Moose Jaw	1	
Prince Albert	1	
Swift Current		1
Yorkton	1	
	28	3

Caseload Statistics

The Court of Queen's Bench for the years ended December 31, 1981 and December 31, 1982:

	1981	1982
Civil actions commenced (excluding divorce)	13,829	15,338
Civil trials heard (excluding divorce)	1,023	1,855
Petitions for divorce commenced	1,544	1,582
Criminal trials heard	781	743
Criminal appeals heard	422	297
Chamber matters heard	13,609	15,064

Sheriff:

Writs of execution filed	4,596	5,555
Writs of execution (completed, satisfied or expired)	3,506	3,021
Seizures	354	436
Investigations	5,411	6,134
Process served	2,432	2,009

4. Surrogate Court

The Surrogate Court for Saskatchewan has jurisdiction in relation to testamentary matters and issuance of grants of probate and administration. It is a court of record.

The Chief Justice of the Court of Queen's Bench and the other judges of the Court of Queen's Bench for Saskatchewan have been appointed Judges of the Surrogate Court. The Court of Queen's Bench exercises the jurisdiction given to the Surrogate Court.

Caseload Statistics

During the calendar years 1981 and 1982, the numbers of cases filed and disposed of were as follows:

	1981	1982
Letters Probate	2,874	3,020
Letters of Administration	744	753
Under Sections 45 and 46 of the Act	47	63
Total	3,665	3,836

5. Unified Family Court

The Unified Family Court for Saskatchewan was opened in December, 1978, in Saskatoon as a pilot project for the province.

The Court was established with a view to eliminating:

- the fragmentation of jurisdiction over family matters;
- the adversary approach to family dispute resolution;
- the lack of legal and social support services connected with the court.

The main objectives of the Unified Family Court are:

- to recognize the importance of the family and to enforce the duties and rights of its members to each other and to society, whether they live together or not;
- to ensure that the rights, needs, and feelings of children are properly recognized and protected in the resolution of family problems;
- to provide a court with jurisdiction over all family matters which understands a range of problems beyond legal issues and can deal with the family as a unit through a combination of court and social services;
- to develop a court where the legal, social work, and other professions and groups work together in the resolution of family problems;
- to provide ready access to confidential counselling to family members who need help in resolving their problems before legal proceedings, during legal proceedings and during the period of adjustment which follows legal proceedings.

The Unified Family Court located in Saskatoon has successfully brought together both the Provincial and Queen's Bench Court actions resulting in an efficient court system for family related matters.

Caseload Statistics

During the calendar years 1981 and 1982, the numbers of actions commenced by originating motion were as follows:

Actions commenced (by Statute):	1981	1982
The Divorce Act	734	743
The Married Persons' Property Act and The Matrimonial Property Act	250	220
The Deserted Wives' and Children's Maintenance Act	132	125
The Infants Act	229	236
The Children of Unmarried Parents Act	34	26
Others	115	90
Adoptions	129	180
Family Service	109	118
Juvenile Delinquents	98	147
Criminal Code	189	103
Total	2,019	1,988
Number of files opened	1,169	1,158

6. Provincial Court of Saskatchewan

The Provincial Court of Saskatchewan consists of a Chief Judge, an Associate Chief Judge and forty-four judges appointed by the Lieutenant Governor in Council on the recommendation of the Attorney General. The Court exercises both civil and criminal jurisdiction: civil by virtue of **The Small Claims Enforcement Act**, under which it has jurisdiction to try and adjudicate upon claims and counterclaims for debts and damages not exceeding $1,000 in the case of a private individual and not exceeding $500 in the case of a corporation; criminal or quasi-criminal by virtue of the Criminal Code and a variety of Federal and Provincial Statutes, under which it can hear summary conviction offences and certain indictable offences in respect of which it has absolute jurisdiction, and other indictable offences where the accused is given a choice as to the mode of trial. In general terms, it is the court of first appearance in criminal matters and adjudicates on all provincial and municipal offences. For these reasons it has the greatest impact of any Court on the general public.

Two Traffic Safety Courts are operational in Regina and Saskatoon. These courts are restricted to traffic violations, excluding parking offences and were implemented with two objectives in mind:

1. To remove traffic matters from the criminal court system, thus providing Provincial Court Judges more time to deal with criminal matters, and

2. To attempt to change driving attitudes by having the court deal more with the offender and less with the offence.

The Traffic Safety Courts have been evaluated as being entirely successful and an important component of the Provincial Court.

All family and juvenile matters are dealt with by the Provincial Court, with the exception of the City of Saskatoon, where a Unified Family Court for Saskatchewan exists, which is presided over by three judges of the Court of Queen's Bench.

Under the provisions of **The Provincial Court Act**, the Chief Judge is also assigned the responsibility to direct and supervise generally the duties and sittings of 502 Justices of the Peace.

During 1982, excluding Traffic Safety Court offences, a total of 133,142 cases were processed through the Provincial Courts, which is 183 cases more than the preceding year.

The additional position of Associate Chief Judge was created during the year 1982-83. This position is based in Saskatoon. There were no retirements during the past year.

Caseload Statistics

	1981	1982
Cases Tried	125,777	126,274
Convictions	88,625	86,821
Absolute Discharges	1,219	986
Conditional Discharges	1,700	1,862
Juvenile Delinquents Act	1,982	1,708
Total Appearances	211,822	271,646
Small Claims	2,281	2,312
Total Cases	132,959	133,142
Total Provincial Fines Levied and Collected	$5,671,347	$6,072,269
Traffic Safety Court Caseload	—	18,253

VIII Property Registration and Management Branch

The Property Registration and Management Branch is responsible for the Land Titles system; the Personal Property Registry; the Official Guardian's Office and the Administrator of Estates' Office.

1. Property Registration

(a) Land Titles

The central purpose of the Land Titles system is to record the effect of documents relating to the ownership of land in Saskatchewan, and to give each land owner a Certificate of Title which is good evidence of entitlement to that land. Land Titles Offices are responsible for the examination and registration of land-related documents, the issuance and updating of title, custody and microfilming of original titles and documents, and the provision of title and document searches. The Master of Titles inspects the books and records in the Land Titles Offices, instructs the registrars and the public concerning the registrability of documents, adjudicates, if necessary, among competing claims of interest in land prior to the granting of Certificates of Title, issues orders, when necessary, respecting true ownership of mines and minerals, and orders the correction or amendment of plans of survey. The Chief Surveyor examines and approves for registration in the Land Titles Offices all plans of survey except for roadway plans.

There are eight land registration districts in the province, each with its own Land Titles Office, Registrar and staff. The Registrars work under the legal direction of the Master of Titles, and the administrative direction of the Executive Director of the Property Registration and Management Branch. The locations of district offices are: Battleford, Humboldt, Moose Jaw, Prince Albert, Regina, Saskatoon, Swift Current and Yorkton. The office of the Chief Surveyor is located in Regina.

In November, 1982, the Master of Titles, in consultation with the Saskatchewan Branch of the Canadian Bar Association, established a liaison committee composed of Saskatchewan lawyers specializing in land titles matters to meet with the Master of Titles on a regular basis to monitor practice and procedure in the Land Titles Offices.

Comparative Statistics -Registration of Land Titles

Type of Activity	1981-82	1982-83
Land Titles Offices		
Instruments Received	197,595	208,249
Instruments Registered	145,149	150,725
Instruments Filed	12,855	14,951
Titles Issued	70,588	59,738
Transfers and Transmissions	—	46,610
Mortgages	—	29,445
Caveats	—	14,094
Notices Issued	67,005	84,435
Certificates Issued	192,992	217,469
**Counter Searches	305,493	189,384

** 1982-83 statistics exclude Field Titles searches.

Chief Surveyor's Office

Plans Examined	922	899
Master of Titles Orders Completed	171	233
Number of Plans Printed	23,102	24,360

(b) **Personal Property Registry**

The purpose of the Personal Property Registry is to provide a registration system whereby a secured party (seller, lending institution, garage keeper or execution creditor and in some instances, a buyer) may register a financing statement indicating an interest in the personal property of a debtor (buyer, person borrowing money, owner of a motor vehicle repaired by a garage, or execution debtor, and in some instances, a seller).

As well, the Personal Property Registry provides an enquiry system whereby persons intending to purchase personal property or to lend money on the security of personal property are able to request a search of available information registered against an individual, business, motor vehicle, mobile home, trailer, or airplane.

The Personal Property Registry maintains a record of all types of registrations registered against personal property in Saskatchewan under the following Acts and provides information based on these registrations upon request and payment of the prescribed fee:

(a) **The Personal Property Security Act**
(b) **The Sale of Goods Act** or **The Factors Act**
(c) **The Garage Keepers Act**
(d) **The Executions Act**
(e) **The Creditors' Relief Act**

In June, 1982, a contract was signed with Saskatchewan Government Insurance which allows the Corporation to have an automated tie to the Personal Property Registry's data file for search services. This tie has permitted the Corporation to discontinue its previous practice of maintaining its own records of liens on vehicles for insurance claims. The removal of a duplicate set of records within two government agencies has simplified procedures for lending institutions which now need only to file forms in one location.

Comparative Statistics - Personal Property Registry

	1981-82	1982-83
Registrations		
Manual Counts of Reg. No's.	226,276	282,035
System Updates (includes conversions)	231,354	280,059
Searches		
Counter Searches	20,868	23,531
Phone Searches from Judicial Centres	12,344	20,884
Total Searches processed on Personal Property Registry computer system (internal, counter, judicial centres and mail requests)	131,089	120,644
S.G.I. Searches of PPR database (Oct. 1/82-Mar.31/83)	---	9,291

2. Property Management

(a) **Official Guardian's Office**

The jurisdiction and function of the Official Guardian of Infants are statutory, both in origin and in scope. The statutes which impart a major function for the Official Guardian are **The Infants Act**, **The Trustee Act**, **The Devolution of Real Property Act**, **The Dependants' Relief Act** and **The Matrimonial Property Act.**

Under **The Infants Act** the Official Guardian represents the interests of the infant (a person under eighteen years of age). The Official Guardian is required to be served and to attend to the interests of infants whenever a judicial application is made in an estate in which an infant is interested. The Official Guardian is also served when persons apply to the Court for guardianship of an infant's estate. Where a settlement is proposed for an infant's claim for personal injuries or for damages for a fatal accident, the Official Guardian must be served and may advise the Court on an application for settlement confirmation.

The Official Guardian has limited jurisdiction to consent to dispositions of real property in which an infant has an interest. The Official Guardian's consent, when given, relieves the transferor from the burden of applying to the Courts for an Order authorizing the disposition, and it permits registration of the transfer documents at the Land Titles Office.

The Official Guardian may issue a Certificate that there are no infants (born or unborn) interested in an estate, upon being satisfied on affidavit evidence that there are no such infants. This facilitates registration of transfers at the Land Titles Office in estate matters.

The Official Guardian's Office receives approximately 3,100 applications per year. In 1982-83 a total of 2,668 Certificates were issued.

As well, the Official Guardian's Office provides information and assistance to the private bar on numerous matters pertaining to the interests of infants and to estate matters generally. Unlike some provinces, however, the Official Guardian in Saskatchewan is rarely involved in divorce, custody and child protection areas.

In addition to the legal duties, the Official Guardian's Office is charged with administration of the trust funds of infants.

Comparative Statistics - Official Guardian's Office

	1981-82	1982-83
Number of Accounts at March 31	3,196	3,076
Number of Accounts Closed in the Year	691	591
Number of Accounts Opened in the Year	454	456
Trust Funds at March 31	$17,156,634	$18,388,330
Interest paid to Accounts	$ 1,585,169	$ 1,667,507

Rate of Distribution of Income:

At September 30	10%	10%
At March 31	10%	9.70%

(b) **Administrator of Estates' Office**

The Minister may appoint the Administrator of Estates to be the committee of the estate of a person in respect of whom a Certificate of Incompetence has been issued under section 28 of **The Mental Health Act** and who has no other committee. The medical officer in charge of the psychiatric facility may issue a Certificate of Incompetence in a prescribed form and forward it directly to the office of the Administrator of Estates. The Administrator of Estates administers the property of the person until the person becomes competent to handle his affairs, or until the death of the person, when the Administrator turns over all the assets to the executor or administrator of the estate.

If a third party obtains a Court appointment as committee, the Administrator will turn the assets over to the new committee.

In the 1982-83 fiscal year approximately 1,600 estates were under administration of which approximately 900 estates were those of persons sixty-five years of age or older. The Administrator is not the guardian of the person, but administers property matters only. All assets are held in trust and investment earnings are credited with interest semi-annually. An annual administration fee is charged to cover the operation costs of the Administrator of Estates' Office.

Comparative Statistics - Administrator of Estates

	1981-82	1982-83
Number of Estates	1,675	1,676
Total Net Value	$20,701,833	$24,558,193
Average Value	$ 12,359	$ 14,653
Statement of Interest Distribution:		
September 30	10.37%	11.57%
March 31	11.38%	12.38%

IX Administration

1. Administrative Services Branch

The Administrative Services Branch is responsible for providing a central and co-ordinated management function for the Department including:
- developing and implementing policies governing the operation of the Department;
- financial management;
- management information systems; and
-general administration.

General Administration includes the areas of accounting, property management, space, mail and records, and data entry.

During the 1982-83 fiscal year, the Branch developed a new accounting system for the Court Services Branch for implementation in 1983, as well as a detailed plan for reviewing the feasibility of automating the criminal justice information system. An automated financial system was implemented in the Administrator of Estates' and Official Guardian's offices in the spring of 1983.

The feasibility of establishing a combined Accounts Receivable system for the Land Titles Office, Registrar's Office and Personal Property Registry will be explored during the 1983-84 fiscal year. In addition, the Branch will develop an automated personnel system, as well as automating parts of the Central Accounting functions. In 1983, emphasis will be placed on improving the auditing functions of the department.

Accounting

Revenues - Revenue accounting includes the receipt recording, issuing of receipts and depositing of all revenues received by the Department for depositing into the Consolidated Fund. During the 1982-83 fiscal year, $25,250,000 was received by the Department through 5,946 revenue transactions. This represented an increase of .l% over the previous year. Although the number of transactions increased, the number of person hours to handle the task decreased by .2%.

Expenditures - In the 1982-83 fiscal year, the Department of the Attorney General's total expenditure equalled $67,345,000. Expenditure accounting comprises the recording and vouchering of all requests for payment. The volume of transactions for expenditure items increased from the 1981-82 fiscal year to the 1982-83 fiscal year by 1.4%, while the number of hours to complete the work increased by only .2%.

Property Management

The property management function is responsible for reviewing and ordering requests for equipment and supplies, and ensuring that the goods are properly received, recorded and paid for. During the 1982-83 fiscal year, 6,258 transactions took place through the Property and Procurement Unit. In addition, this unit provides a central stock of items that are used by the Department which are not available from the Office Supply Agency. During the year under review, the number of orders sent to branches and agencies decreased from the previous year by 30 for a total of 1,674.

Space

Central Administration is responsible for assisting branches in identifying space requirements and developing plans for providing suitable accommodation for the department's 19 Court Houses and 8 Land Titles Offices as well as numerous Branch Offices throughout the province. In total there are over 90 individual work units which must be managed by the Administrative Services Branch.

Early in 1983-84 major renovations in the Regina City Hall will be necessary to accommodate additional staff due to the takeover of Corrections from the Department of Social Services, and the Constitutional and International Affairs Branch from the Department of Intergovernmental Affairs.

Mail & Records

The mail and records unit receives and sorts all incoming mail, and handles all out-going mail. In addition, the unit is responsible for maintaining civil, criminal and general files which are utilized by the entire Department.

During the 1982-83 fiscal year, approximately 336,000 pieces of mail flowed through the central mail office.

Data Entry

The Data Entry unit is responsible for providing a key-edit service for the Provincial Court Management Information System and the Personal Property Registry system.

An analysis of time for a typical work day revealed that of 107.4 work hours available, 85.23 hours were spent keying, representing an 80% productivity level. During the year under review, the key-edit unit produced 175,671,300 keystrokes for an average of 12,752 keystrokes per hour. In the 1982-83 fiscal year, there was a production decrease of approximately 3.7 million keystrokes from the previous year due to the discontinuation of the second phase of the Provincial Court Management Information Systems.

2. Personnel and Training Branch

The Personnel and Training Branch is responsible for providing support services for the Department's 750 salaried permanent and non-permanent employees including staffing, classification, training and development, manpower planning and contract administration. In addition, the Branch prepares all payrolls and administers the Department's benefit entitlements programs.

During the 1982-83 fiscal year, a total of 22 staffing actions were initiated. In addition, 23 classification requests were handled by the Branch including a major review of the clerical staff of the Department.

A variety of training programs are open to departmental employees. These include Public Service Commission sponsored short courses, in-house training programs, tuition reimbursements and government sponsored education leave.

Twenty-two employees participated in the Public Service Commission sponsored courses and 11 employees were granted tuition reimbursement on successful completion of approved educational courses. One employee is on sponsored education leave and 4 employees are participating in the Administrative Development Diploma (ADD) Program. Two employees are participating in the Management Development Training Program conducted by the Women's Division, Saskatchewan Labour.

All new appointments and renewals for Commissioners for Oaths (both within the province and outside the province) as well as appointments and renewals for Notaries Public are processed and registered by the Personnel and Training Branch. Appointments are in effect for five years. During the calendar year, 1982, there were 2,854 Commissioners and 501 Notaries processed, compared to 3,199 and 416 respectively in 1981-82.